

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND (NORTHERN DIVISION)**

BUSINESS LENDERS, LLC

*

PLAINTIFF,

*

v.

*

CASE No.: L 02 cv 2092

DAMON Z. BELLAMY-BEY *et al.*

*

DEFENDANTS.

*

* * * * *

**PETITION TO ORDER RESALE OF PROPERTY AT SOLE RISK AND EXPENSE
OF DEFAULTING PURCHASER AT FORECLOSURE SALE**

Jeremy S. Friedberg and Andrew L. Cole, Substitute Trustees (“Trustees”), pursuant to Maryland Rule 14-305(g), respectfully petition for an Order authorizing re-sale of 1817 Laurens Street, Baltimore, Maryland (the “Property”) at the risk and expense of the defaulting purchaser, and state as follows:

1. The Trustees, pursuant to a valid power of sale, sold real property located in Baltimore City, and known as 1817 Laurens Street, Baltimore, Maryland (the “Property”), at public auction (the “Sale”) to Reginald Weston for the sum of \$190,000.00.

2. At the Sale, Reginald Weston executed a contract of sale for the Property (the “Contract”). A copy of the Contract is attached hereto as Exhibit 1 and incorporated as though set forth herein.

3. The Sale was ratified by the Court on April 12, 2006.

4. The Contract required that closing take place no later than 30 days following ratification of the Sale.

5. Reginald Weston requested to have Sean Weston substituted as purchaser, to which the Trustees and the secured creditor agreed, provided that Reginald Weston remain liable upon the Contract.

6. The Court approved the substitution of purchaser on May 3, 2006.

7. The Trustees delivered an executed trustees' deed and HUD-1 by overnight delivery to the title company selected by Sean Weston on May 11, 2006.

8. Neither Sean Weston nor Reginald Weston was willing/able to close by the May 12 deadline set forth in the Contract.

9. The Trustees, with the consent of the secured creditor, Business Lenders, entered into an agreement with Sean Weston whereby they extended the deadline for settlement through and including Friday, May 19, 2006.

10. Neither Sean Weston nor Reginald Weston was willing/able to close by the extended May 19, 2006 deadline.

11. Maryland Rule 14-305(g) provides that in the event of a purchaser's default, Court may order a resale of the Premises at the risk and expense of the purchaser or may take any other appropriate action.

12. The purchasers' refusal to go to settlement mandates the Trustees to petition the Court to order a resale at the sole risk and expense of the defaulting purchaser.

WHEREFORE, the Trustees respectfully request that the Court issue an Order:

- a. Directing the Trustees to re-sell the Property at the sole risk and expense of the defaulting purchasers; and

- b. Granting such other and further relief as is appropriate under the circumstances.

Date: May 30, 2006

/s/ Andrew L. Cole
Jeremy S. Friedberg, Fed. Bar No. 10638
Andrew L. Cole, Fed. Bar No. 14865
Leitess Leitess Friedberg + Fedder PC
One Corporate Center
10451 Mill Run Circle, Suite 1000
Owings Mills, Maryland 21117
(410) 581-7400
(410) 581-7410 (Fax)
Substitute Trustees

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 30th day of May, 2006, a copy of the foregoing document was served, *via* first class mail, postage pre-paid, upon:

Reginald Weston
Weston Investments
2 Asgard Ct.
Parkville, Maryland 21234-5905

Lawrence S. London, Esq.
Clear Title
10 W. Sudbrook Lane
Baltimore, Maryland 21208

Sean Weston
c/o Reginald Weston
2 Asgard Ct.
Parkville, Maryland 21234-5905

Damon Z. Bellamy-Bey
P.O. Box 11735
Baltimore, Maryland 21206

/s/ Andrew L. Cole
Andrew L. Cole